



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Duff et al.

Serial No: 09/247,874

Filing Date: February 10, 1999

For: Therapeutics and Diagnostics Based on a Novel IL-1B Mutation

Atty. Docket No.: MSA-004.01

ATTN: Box Missing Parts  
Assistant Commissioner for Patents  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

April 16, 1999

Date of Signature  
and of Mail Deposit

By

Carmen Parra  
Carmen Parra

FEE TRANSMITTAL AND RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir/Madam:

Responsive to the Notice to File Missing Parts of Application dated February 25, 1999, Applicants' attorney submits herewith one executed Declaration, Petition and Power of Attorney, one executed Verified Statement Claiming Small Entity Status, and a check in the amount of \$890.00 to cover the cost of the filing fee (\$825.00) and surcharge/small entity (\$65.00). A copy of Form PTO-1533 is also enclosed.

Responsive to the Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, Applicants' attorney submits herewith Sequence Listing and Diskette and Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§1.821-1.825.

The filing fee has been calculated as shown below:

			SMALL ENTITY		OTHER THAN SMALL ENTITY	
	# FILED	# EXTRA	Rate	FEE	Rate	FEE
BASIC FEE			\$380	380.00	\$760	
TOTAL CLAIMS	42 - 20 =	22*	x \$9	198.00	x \$18	
INDEP. CLAIMS	6 - 3 =	3*	x \$39	117.00	x \$78	
			\$130	130.00	\$260	
[X] MULTIPLE DEP. CLAIMS PRESENTED			TOTAL:			
				825.00		

- [X] A check in the amount of \$890.00 to cover the filing fee (\$825.00) and surcharge (\$65.00) is enclosed.
- [X] Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. **06-1448**. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
FOLEY, HOAG & ELIOT LLP



Beth E. Arnold  
Registration No. 35,430  
Attorney for Applicants

Date: April 16, 1999

Patent Group  
FOLEY, HOAG & ELIOT LLP  
One Post Office Square  
Boston, MA 02109  
(617) 832-1000



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/247,874	02/10/99	DUFF	G MSA-004.01

PATENT GROUP  
FOLEY HOAG & ELIOT  
ONE POST OFFICE SQUARE  
BOSTON MA 02109-2170

0242/0225  
H.P. Segal  
4-25-99  
9-25-99

NOT ASSIGNED

1643

DATE MAILED:

02/25/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**

**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1870.00.

☒ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ 460.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ 486.00 for 27 total claims over 20.

\$ 234.00 for 3 independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

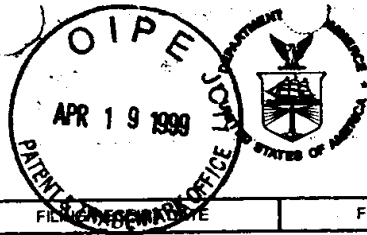
*Dorothy Bell*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/247,874 02/10/99 DUFF

G MSA-004.01

0242/0225

PATENT GROUP  
FOLEY HOAG & ELIOT  
ONE POST OFFICE SQUARE  
BOSTON MA 02109-2170

NOT ASSIGNED #3

1643

DATE MAILED:

02/25/99

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. OTHER: \_\_\_\_\_

**APPLICANT MUST PROVIDE:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- ☒ An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

**FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:**

- ☐ For Rules Interpretation, call (703) 308-1123.
- ☐ For CRF submission help, call (703) 308-4212.
- ☐ For PatentIn software help, call (703) 308-6856.

*D. Bell*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202